

Message Text

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L/EUR:KSGUDGEON
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FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA IMMEDIATE

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STADIS//////////

E.O. 11652: N/A - DECONTROLLED FEBRUARY 23, 1977

TAGS:SENV, CA

SUBJECT: GARRISON DIVERSION UNIT

1. DEPARTMENT INTENDS TO DELIVER NOTE ON GARRISON DIVER-
SION UNIT TO CANADIAN EMBASSY OFFICIALS AFTERNOON FEBRUARY
18. THE TEXT OF THE US NOTE IS GIVEN BELOW AS IS PRESS
GUIDANCE SHOULD EMBASSY RECEIVE QUERIES.

2. NOTE TO CANADIAN GOVERNMENT: BEGIN TEXT:
THE DEPARTMENT OF STATE REFERS TO THE CANADIAN EMBASSY'S
NOTE NO. 495 COVERING THE CONSTRUCTION OF THE GARRISON
DIVERSION UNIT OF THE PICK SLOAN MISSOURI BASIN PROGRAM
AND REQUESTING THAT FURTHER CONSTRUCTION AND DECISIONS ON
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CONSTRUCTION OF THE LONETREE RESERVOIR BE DEFERRED, IN
VIEW OF POTENTIAL TRANSFER OF BIOTA FROM THE MISSOURI RIVER
BASIN INTO CANADIAN WATERS, UNTIL SUCH TIME AS THE
REPORT OF THE INTERNATIONAL JOINT COMMISSION ON THE TRANS-
BOUNDARY ASPECTS OF THE GARRISON DIVERSION UNIT HAS BEEN
RECEIVED AND BEEN THE SUBJECT OF BILATERAL CONSULTATIONS.

THE DEPARTMENT OF STATE HAS BEEN INFORMED BY THE DEPARTMENT OF THE INTERIOR THAT THE CONSTRUCTION OF THE LONETREE RESERVOIR WOULD NOT BE COMPLETED UNDER THE PRESENT CONSTRUCTION SCHEDULE UNTIL AUGUST

1979. FILLING OF THE RESERVOIR WITH WATERS FROM THE MISSOURI RIVER SYSTEM IS NOT SCHEDULED TO BEGIN UNTIL AFTER THE CONSTRUCTION HAS BEEN COMPLETED, I.E., UNTIL MAY 1981 AT THE EARLIEST. THUS A CONSIDERABLE PERIOD OF TIME WOULD ELAPSE BETWEEN THE SCHEDULED PUBLICATION IN JUNE 1977 OF THE INTERNATIONAL JOINT COMMISSION REPORT ON THE TRANSBOUNDARY IMPACTS OF THE GARRISON DIVERSION UNIT AND THE 1981 DATE FOR THE COMMENCEMENT OF FILLING OF THE LONETREE RESERVOIR WITH MISSOURI RIVER BASIN WATERS.

NONETHELESS, IN ORDER TO MEET THE CONCERNS EXPRESSED IN THE EMBASSY'S NOTE REGARDING THE POTENTIAL TRANSFER OF FOREIGN BIOTA FROM THE MISSOURI RIVER INTO WATERS FLOWING INTO CANADA, THE UNITED STATES GOVERNMENT WISHES TO ADVISE THE GOVERNMENT OF CANADA THAT A CONTRACT FOR THE CONSTRUCTION OF THE LONETREE DAM WILL NOT BE LET UNTIL AFTER THE REPORT TO GOVERNMENTS HAS BEEN RECEIVED AND SUBSEQUENT CONSULTATIONS BETWEEN THE TWO GOVERNMENTS HAVE TAKEN PLACE.

THE EMBASSY WILL RECALL THAT THE JOINT REFERENCE FROM GOVERNMENTS TO THE INTERNATIONAL JOINT COMMISSION SPECIFICALLY CALLS UPON THE COMMISSION TO EXAMINE THE ISSUE OF THE POTENTIAL TRANSMISSION OF FOREIGN BIOTA FROM LIMITED OFFICIAL USE

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THE AREA OF THE GARRISON DIVERSION UNIT INTO CANADA.

THE UNITED STATES GOVERNMENT REITERATES ITS COMMITMENT OF FEBRUARY 5, 1974, TO UNDERTAKE NO CONSTRUCTION OF WORKS IN THE GARRISON DIVERSION UNIT POTENTIALLY AFFECTING WATERS FLOWING INTO CANADA UNTIL IT IS CLEAR THAT ITS OBLIGATIONS UNDER THE BOUNDARY WATERS TREATY OF 1909 WILL BE MET.

THESE UNDERTAKINGS ARE IN KEEPING WITH THE SPIRIT OF MUTUAL UNDERSTANDING AND FORBEARANCE WHICH HAS CHARACTERIZE AND WILL CONTINUE TO CHARACTERIZE THE EFFORTS OF THE TWO GOVERNMENTS IN ADDRESSING TRANSFRONTIER POLLUTION MATTERS.

THE UNITED STATES GOVERNMENT LOOKS FORWARD TO EARLY DISCUSSIONS WITH THE GOVERNMENT OF CANADA FOLLOWING THE REPORT TO GOVERNMENTS OF THE INTERNATIONAL JOINT COMMISSION
END TEXT

3. PRESS GUIDANCE: BEGIN TEXT:

QUESTION: HAS THE UNITED STATES GOVERNMENT RESPONDED TO THE CANADIAN NOTE OF LAST OCTOBER RE THE GARRISON DIVERSION UNIT?

ANSWER: YES, IN LIGHT OF THE REPORT OF THE INTERNATIONAL JOINT COMMISSION STUDY BOARD ON THE GARRISON PROJECT WHICH INDICATES THAT MODIFICATIONS TO THE LONETREE DAM WILL BE NECESSARY TO PREVENT TRANSFRONTIER POLLUTION, THE DEPARTMENT OF THE INTERIOR HAS DECIDED THAT THE ONLY PRUDENT COURSE IS TO DELAY FURTHER WORK ON THE DAM UNTIL THE REPORT AND RECOMMENDATIONS TO GOVERNMENTS OF THE INTERNATIONAL JOINT COMMISSION HAVE BEEN RECEIVED AND REVIEWED. THAT REPORT IS EXPECTED IN JUNE. THE INTERIOR DEPARTMENT HAS DECIDED NOT TO LET THE CONSTRUCTION CONTRACT FOR THE LONETREE DAM UNTIL THE REPORT HAS BEEN REVIEWED. WE HAVE SO INFORMED THE GOVERNMENT OF CANADA.
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THIS RESPONSE CONFORMS TO THEIR REQUEST IN THE OCTOBER NOTE. END TEXT.
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